Meeting of States Parties

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6 March 2009

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Special Meeting
New York, 6 March 2009

Credentials of representatives to the Special Meeting of States Parties to the United Nations Convention on the Law of the Sea

Report of the Credentials Committee

Chairperson: Ms. Miriam **Mac Intosh** (Suriname)

1. On 13 June 2008, the Eighteenth Meeting of States Parties to the United Nations Convention on the Law of the Sea appointed, pursuant to rule 14 of the Rules of Procedure for Meetings of States Parties (SPLOS/2/Rev.4), a Credentials Committee consisting of the following nine States parties: Brazil, Greece, Indonesia, Mongolia, Morocco, New Zealand, Slovenia, South Africa and Suriname.

2. The Special Meeting of States Parties which was held on 6 March 2009 to elect a member of the International Tribunal for the Law of the Sea, to fill a vacancy that had occurred in the Tribunal following the demise of Judge Choon-Ho Park (Republic of Korea) on 12 November 2008, decided, for the purposes of conducting the business of the Special Meeting, to maintain the composition of the Credentials Committee as appointed by the eighteenth Meeting.

3. The Committee held its meeting on 6 March 2009 under the chairmanship of Miriam Mac Intosh (Suriname).

4. The Committee had before it a memorandum by the Secretariat, dated 6 March 2009, on the status of credentials of representatives participating in the Special Meeting. The Secretary of the Committee made a statement with regard to the inclusion in the memorandum of those credentials and communications received subsequent to the preparation of the memorandum.

5. As noted in paragraph 1 of the memorandum, as orally supplemented during the meeting, formal credentials issued by the Head of State or Government or by the Minister for Foreign Affairs or by a person authorized by either of them had been received by the Secretariat for the representatives of the following 92 States participating in the Special Meeting: Algeria, Angola, Argentina, Armenia, Australia, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Bosnia and Herzegovina, Botswana, Brunei Darussalam, Bulgaria, Burkina Faso, Chile, China,

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Comoros, Cook Islands, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Djibouti, Dominica, Egypt, Estonia, France, Germany, Greece, Grenada, Guatemala, Guyana, Haiti, Hungary, Iceland, Indonesia, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kiribati, Kuwait, Lao People's Democratic Republic, Latvia, Lithuania, Luxembourg, Madagascar, Maldives, Malta, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Morocco, Namibia, Netherlands, New Zealand, Niue, Norway, Oman, Panama, Paraguay, Philippines, Portugal, Republic of Korea, Russian Federation, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Seychelles, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Suriname, Sweden, the former Yugoslav Republic of Macedonia, Togo, Tonga, Trinidad and Tobago, Tunisia, United Kingdom of Great Britain and Northern Ireland, Uruguay and Vietnam.

6. As noted in paragraph 2 of the memorandum, as orally supplemented during the meeting, information concerning the appointment of representatives participating in the Special Meeting had been communicated by means of facsimile or in the form of letters or notes verbales from ministries, embassies, permanent missions to the United Nations or other government offices or authorities, or through local United Nations offices, by the following 64 States participating in the Special Meeting: Albania, Antigua and Barbuda, Austria, Belarus, Belize, Benin, Bolivia, Brazil, Cameroon, Canada, Cape Verde, Congo, Costa Rica, Côte d'Ivoire, Democratic Republic of the Congo, Equatorial Guinea, Fiji, Finland, Gabon, Gambia, Georgia, Ghana, Guinea, Guinea-Bissau, Honduras, India, Kenya, Lebanon, Lesotho, Liberia, Malaysia, Mali, Marshall Islands, Mauritania, Mozambique, Myanmar, Nauru, Nepal, Nicaragua, Nigeria, Pakistan, Palau, Papua New Guinea, Poland, Qatar, Republic of Moldova, Romania, Saint Kitts and Nevis, Saint Lucia, Sao Tome and Principe, Senegal, Serbia, Sierra Leone, Solomon Islands, Somalia, Sudan, Tuvalu, Uganda, Ukraine, United Republic of Tanzania, Vanuatu, Yemen, Zambia and Zimbabwe.

7. The Chairperson proposed that the Committee accept the credentials of all the representatives mentioned in the memorandum by the Secretariat, supplemented by the additional information provided by the Secretary during the meeting of the Committee, on the understanding that formal credentials of the representatives referred to in paragraph 2 of the Secretariat's memorandum would be communicated to the Secretariat as soon as possible. The following draft resolution was proposed by the Chairperson for adoption by the Committee:

> "*The Credentials Committee*,
>
> "*Having examined* the credentials of the representatives to the Special Meeting of States Parties to the United Nations Convention on the Law of the Sea referred to in paragraphs 1 and 2 of the memorandum by the Secretariat dated 6 March 2009, supplemented by the additional information provided by the Secretariat during the meeting of the Credentials Committee,
>
> "*Accepts* the credentials of the representatives concerned."

8. The draft resolution was adopted by the Committee without a vote.

9. Subsequently, the Chairperson proposed that the Committee recommend to the Special Meeting of States Parties the adoption of a draft resolution (see para. 11). The proposal was adopted without a vote.

10. In the light of the foregoing, the present report is submitted to the Special Meeting.

Recommendation of the Credentials Committee

11. The Credentials Committee recommends to the Special Meeting of States Parties the adoption of the following draft resolution:

> **"Credentials of representatives to the Special Meeting of States Parties to the United Nations Convention on the Law of the Sea of 6 March 2009**
>
> "*The Special Meeting of States Parties to the United Nations Convention on the Law of the Sea*,
>
> "*Approves* the report of the Credentials Committee."

United Nations Convention on the Law of the Sea SPLOS/190

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Report of the Special Meeting of States Parties

I. Introduction

1. The Special Meeting of States Parties to the United Nations Convention on the Law of the Sea was held at Headquarters on 6 March 2009 to elect one member of the International Tribunal for the Law of the Sea, in accordance with article 4 of annex VI to the Convention (Statute of the Tribunal). The election was to fill, for the remainder of the term ending on 30 September 2014, the seat vacated by the demise of Judge Choon-Ho Park (Republic of Korea) on 12 November 2008. Pursuant to article 6, paragraph 1, of the Statute of the Tribunal, the date of the election was fixed by the President of the Tribunal after consultation with the States parties.

2. The Meeting had before it the following documents: a note by the Registrar of the Tribunal on the election procedures (SPLOS/185); the list of candidates nominated by States parties (SPLOS/186); and the curricula vitae of candidates nominated by the Government of the Republic of Korea and the Government of the Republic of Indonesia (SPLOS/187).

II. Opening of the Special Meeting

3. Yuriy Sergeyev (Ukraine), President of the Eighteenth Meeting of States Parties, opened the Special Meeting.

4. The Meeting observed a minute of silence in memory of the late Judge Choon-Ho Park.

5. For the purposes of conducting its business, the Special Meeting decided to retain the composition of the Bureau,[1] including the Presidency, as elected, and the composition of the Credentials Committee as appointed by the Eighteenth Meeting. In doing so, the Meeting followed the practice established by the first Special Meeting of States Parties, held in August 2003, and followed by the Special Meeting of States Parties held on 30 January 2008 (see SPLOS/170, para. 5).

[1] With one replacement: Katy Lin (Australia) replaced Dean Marc Bialek (Australia) as Vice-President.

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III. Adoption of the agenda and organization of work

6. The President introduced the provisional agenda (SPLOS/L.58). The Meeting adopted the agenda (SPLOS/188) and approved the organization of work, as outlined by the President.

IV. Report of the Credentials Committee

7. The Credentials Committee held its meeting on 6 March 2009 under the Chairmanship of Miriam Mac Intosh (Suriname). Following that meeting, the Chairperson of the Credentials Committee introduced the report of the Credentials Committee (SPLOS/189). She stated that the Committee had examined and accepted the credentials of representatives to the Special Meeting from 156 States parties to the Convention. The Special Meeting then approved the report of the Committee.

V. Election of one member of the International Tribunal for the Law of the Sea

8. The President made a statement on the election procedures, recalling articles 2, 3, 4, and 6 of the Statute of the Tribunal, as well as rule 70 of the Rules of Procedure for Meetings of States Parties (SPLOS/2/Rev.4).

9. The election required one round of balloting during which the representatives of Egypt, Haiti, Portugal and the former Yugoslav Republic of Macedonia acted as tellers.

10. Of the 155 ballots cast, with no invalid ballot and no abstentions, a majority of 104 votes was required for the election, provided that such majority included a majority of the States parties (79, at the time of the election). In the first round of balloting, Jin-Hyun Paik (Republic of Korea) received 113 votes and was thus elected for the remainder of his predecessor's term of nine years, which ends on 30 September 2014.

11. The President made a statement congratulating Mr. Paik on his election as a member of the International Tribunal for the Law of the Sea.